

EXHIBIT C

Michael McClellan - February 20, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,)	
Individually and on behalf)	
of NORFOLK & PORTSMOUTH)	
BELT LINE RAILROAD)	
COMPANY,)	
)	
Plaintiff,)	
)	
V.)	NO. 2:18cv530
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, NORFOLK &)	
PORTSMOUTH BELT LINE)	
RAILROAD COMPANY, JERRY)	
HALL, THOMAS HURLBUT,)	
PHILIP MERILLI and CANNON)	
MOSS,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF

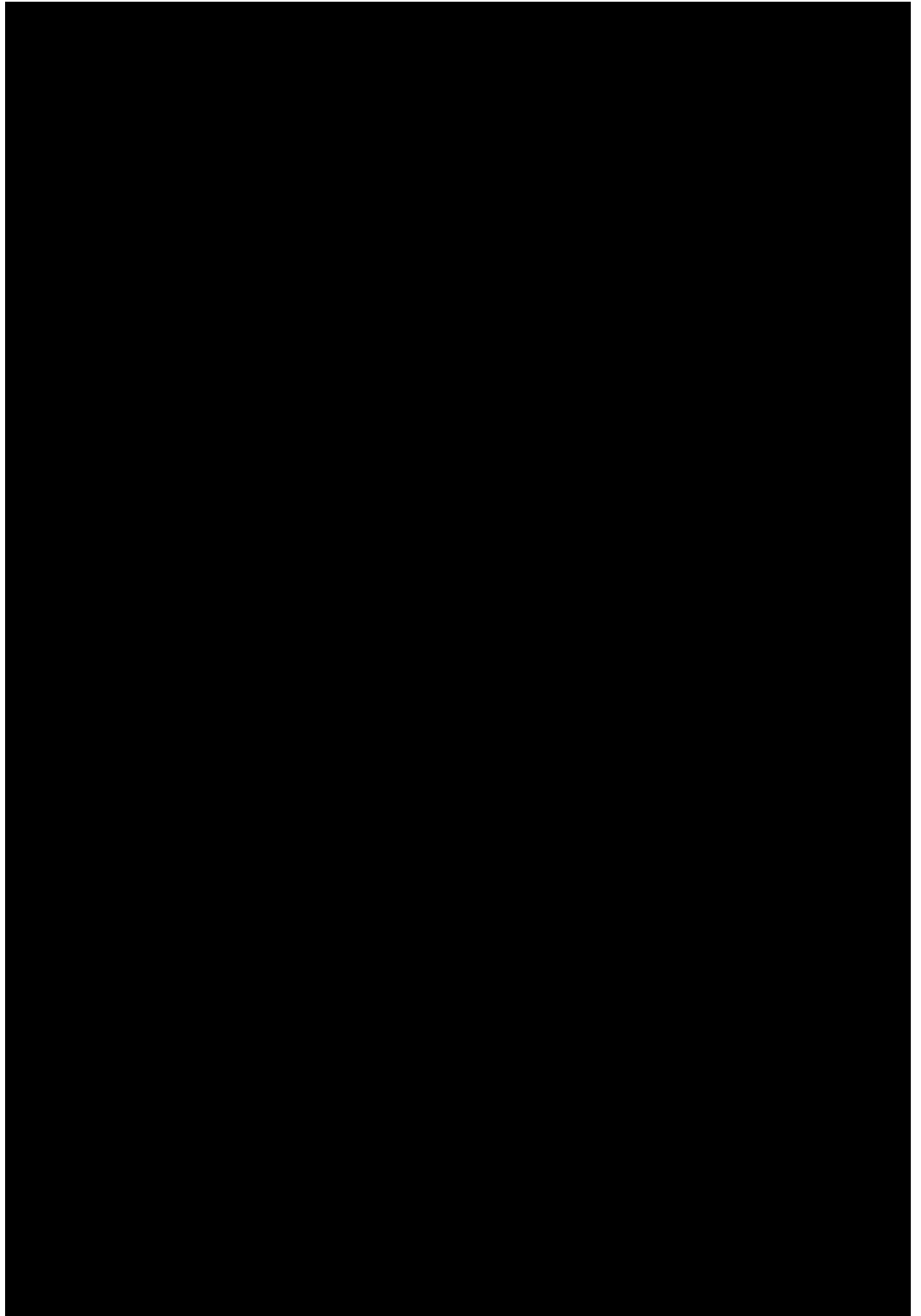
MICHAEL McCLELLAN

TAKEN ON BEHALF OF THE PLAINTIFF

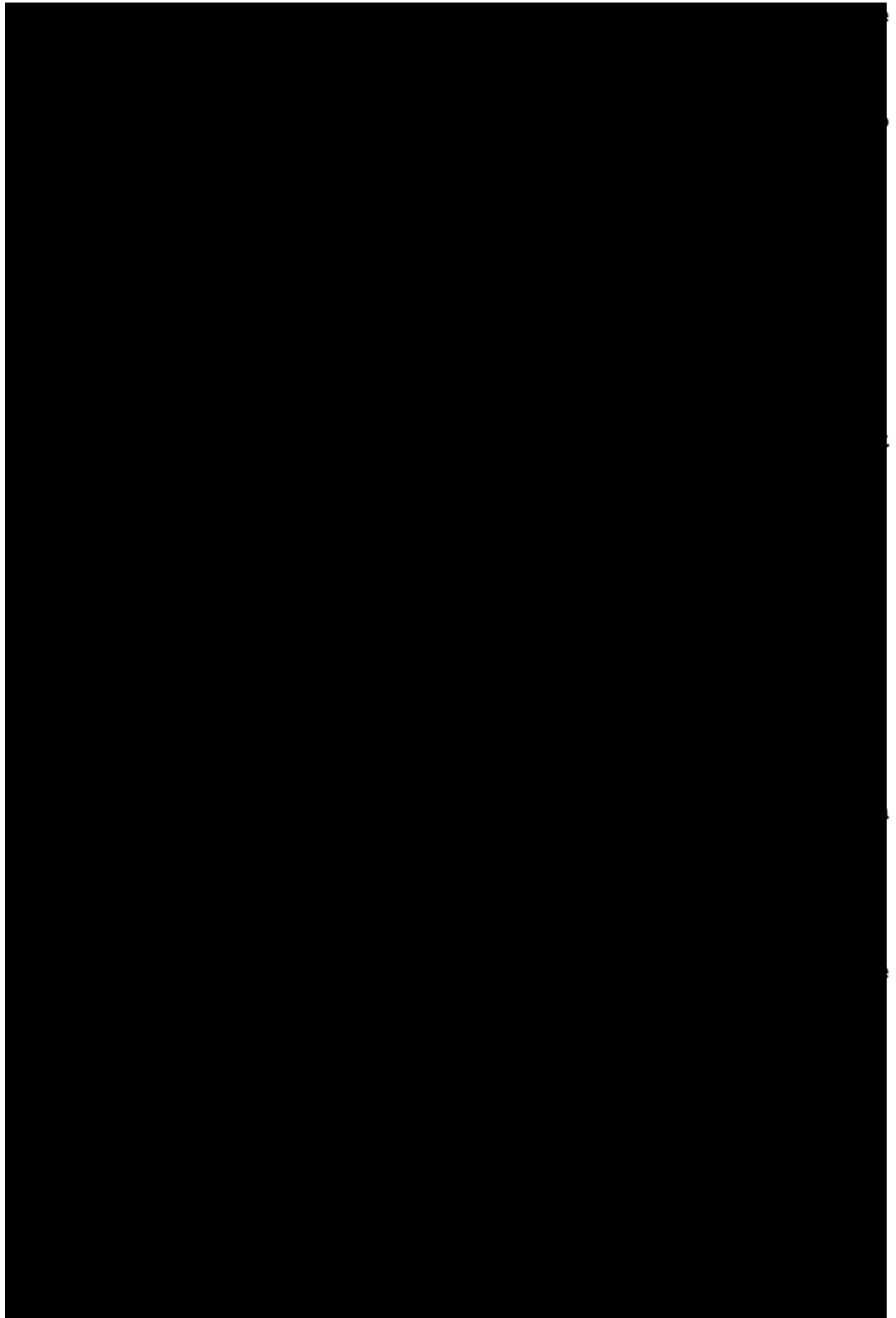
Virginia Beach, Virginia

February 20, 2020

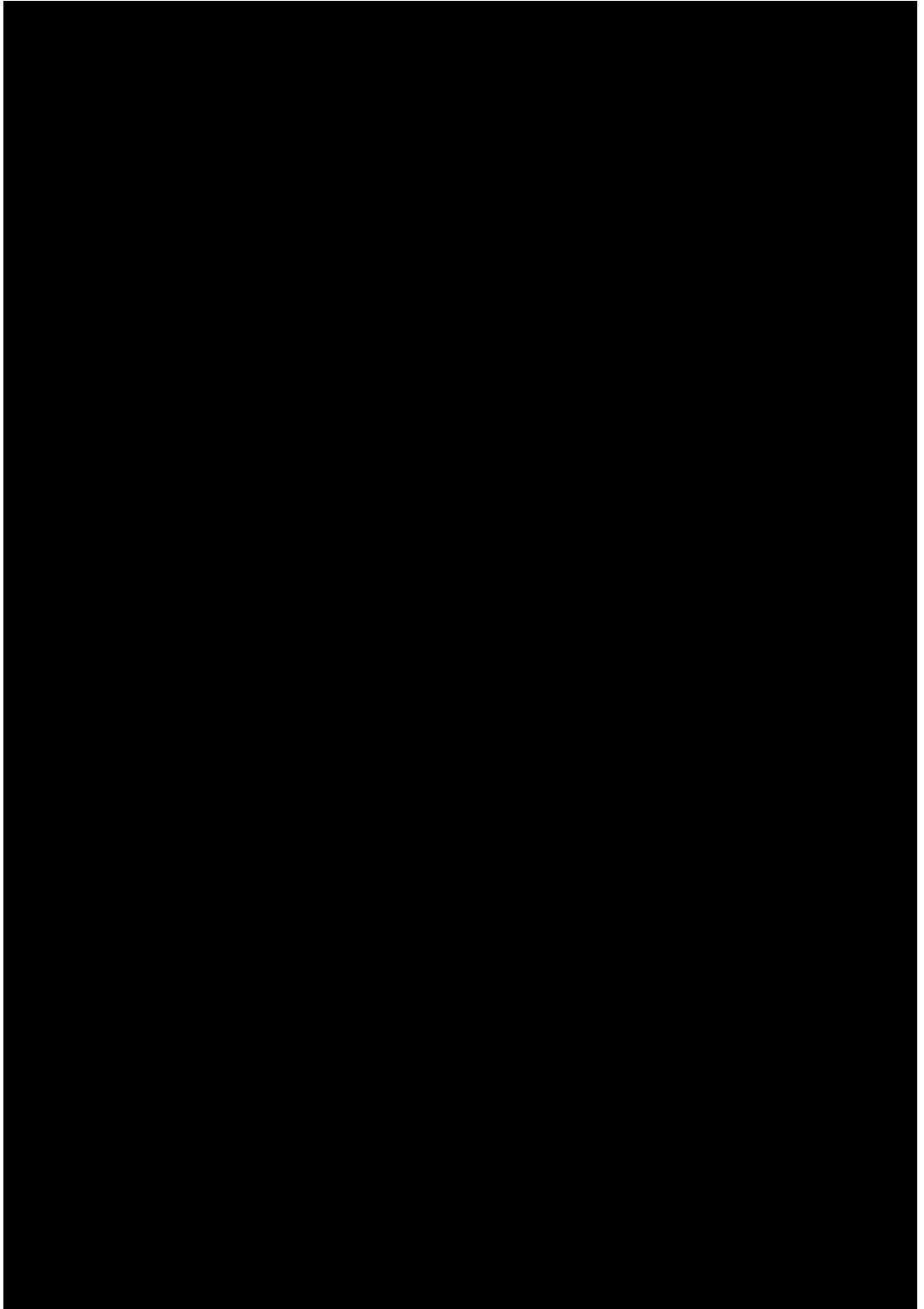
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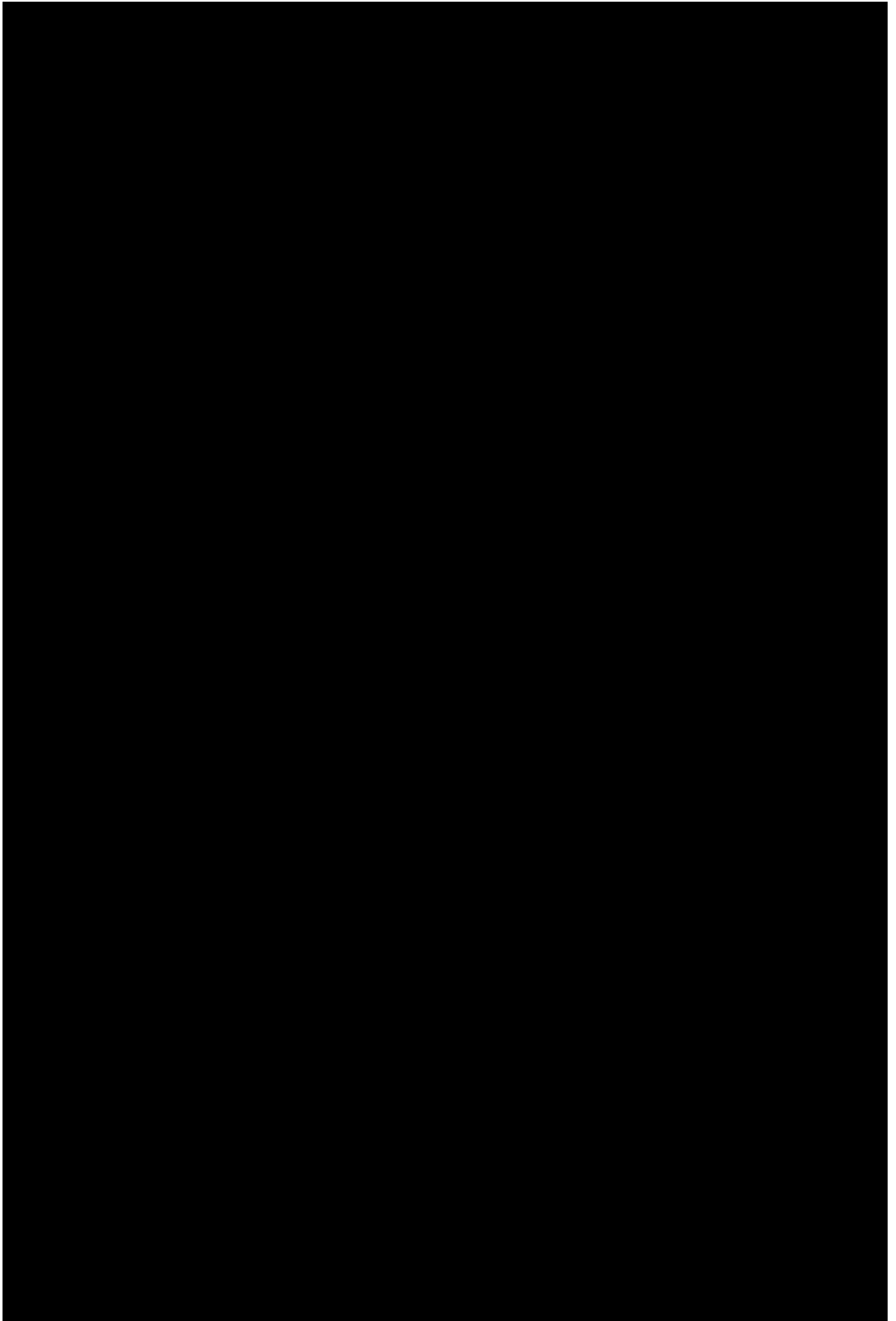
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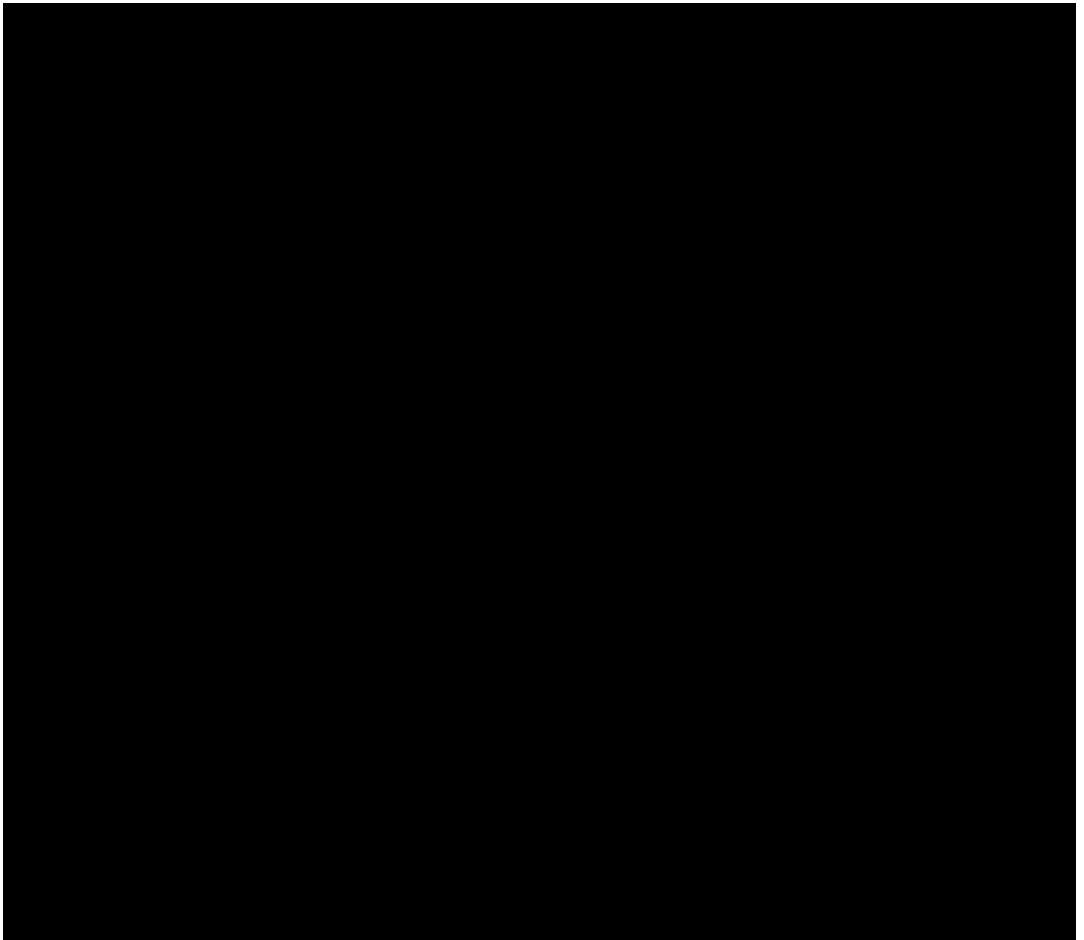
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THE COURT REPORTER: I'm sorry, I didn't hear -- did you answer? Because I didn't hear anything.

MR. HATCH: I'll move on to the next question.

BY MR. HATCH:

Q Are you aware of any actions that Norfolk Southern has taken in the history of your knowledge of the company to inhibit access by CSX to NIT?

1 A Not through NPBL.

2 Q Okay. How about in ways other than NPBL?

3 A Well, not via drayage either.

4 Q How about in ways other than drayage?

5 A Those are the only two ways.

6 Q So is your answer that you're not aware
7 of any way that Norfolk Southern has tried to inhibit
8 access of CSX to NIT?

9 A That is correct.

10 MR. HATCH: Could I get tab 11, Jeanne.

11 (Discussion off the record)

12 BY MR. HATCH:

13 Q Mr. McClellan, do you recall any
14 follow-up that you had about these minutes that
15 occurred after the April 2018 time frame?

16 A Do I recall any follow-up with whom?

17 Q With anyone.

18 A I believe eventually I met with CSX on
19 the items of shared interest.

20 Q Okay. And do you recall when that
21 meeting occurred?

22 A I do not recall.

23 Q Do you recall if it was in 2018?

24 A I believe it was.

25 Q Okay. After the meeting that you had